

MIKE SPANO  
MAYOR

WILLIAM J. SCHNEIDER, P.E.  
COMMISSIONER



87 Nepperhan Avenue, 5<sup>th</sup> Floor  
Yonkers, New York 10701  
Building Tel.: (914) 377-6500  
Fax: (914) 377-6545  
Housing Tel.: (914) 377-6536  
Fax (914) 377-6496

CITY OF YONKERS  
DEPARTMENT OF HOUSING AND BUILDINGS

**AGENDA FOR ZONING BOARD OF APPEALS**

**PLEASE TAKE NOTICE:** A Public Hearing will be held before the Zoning Board of Appeals of the City of Yonkers on **TUESDAY, MARCH 15, 2016 at 6:00 P.M.** sharp, in the Ceremonial Courtroom, Yonkers, New York (building is accessible to the handicapped), on applications for Appeals from the Building Commissioner's decisions and applications for Variances under the provisions of G.O. # 4-2000, as amended:

**DECISIONS**

**# 5473– Area Variance** – Richard J. Pearson, PE, of John Meyer Consulting, on behalf of CPD Energy Corporation, lessee, on premises known as 409 Roberts Avenue aka 925 Nepperhan Avenue, Block: 3091, Lot: 74.77, Zone: I

**# 5475– Area Variance** – Andrew Romano, Esq., on behalf of Adriana Simreen, owner, on premises known as 126 Falmouth Road, Block: 4923, Lot: 30, Zone: S-100

**# 5477– Area Variance** – Michael J. Khader, Esq., on behalf of Dominick Bucci, owner, on premises known as 887 Midland Avenue, Block: 5055, Lot: 24, Zone: B

**# 5479– Change From One Non-Conforming Use to Another** – Andrew Romano, Esq., on behalf of Samuel Abeer, owner, on premises known as 127 Ludlow Street, Block: 169, Lot: 10.33, Zone: A

**# 5480– Improvement to a Non-Conforming Use & Area Variance** – Andrew Romano, Esq., on behalf of Dhanraj Sam, owner, on premises known as 114 Harrison Avenue, Block: 82, Lot: 56, Zone: T

**# 5478– Area Variance** – James A. Gibbons, P.E. on behalf of James Moore, owner, on premises known as 6 Glen Road, Block: 6287, Lot: 33, Zone: T

**# 5482– Improvement to a Non-Conforming Use & Area Variance** – Andrew Romano, Esq., on behalf of Carlos Ochoa, owner, on premises known as 2038 Central Park Avenue, Block: 4639, Lot: 19.20, Zone: BR

**# 5483– Improvement & Intensification to a Non-Conforming Use** – Andrew Romano, Esq., on behalf of Raymond Indiviglio, owner, on premises known as 11 Wendell Place, Block: 2191, Lot: 18, Zone: M

**# 5484– Area Variance** – Cuddy & Feder LLP on behalf of Central Plaza Associates LLC, owner, on premises known as 2542 Central Park Avenue, Block: 4877, Lot: 1, Zone: BR

**# 5485– Improvement to a Non-Conforming Use & Area Variance** – Andrew Romano, Esq., on behalf of Anthony Blanco, owner, on premises known as 210 Hoover Road, Block: 3247, Lot: 45, Zone: MG

## **NEW HEARINGS**

**# 5486– Area Variance** – Andrew Romano, Esq., on behalf of Yaitza Aguada, owner, to legalize pool in front yard whereas swimming pool may not be located in front yard (E. Grassy Sprain Road) per 43-41P(1)/43-40D(1), on premises known as 137 Gailmor Drive, Block: 4460, Lot: 19, Zone: S-60

**# 5487– Area Variance** – Andrew Romano, Esq., on behalf of 151 Ludlow Street Corp, owner, to construct interior alterations to create a motorcycle repair shop having insufficient parking - five (5) parking spaces required; insufficient parking space sizes, 8'-6" wide required; 6'-0" (provided) (43-134(A)(9)); parking within 10'-0" to a building in same lot not permitted; 0.0' (scaled) provided (43-44(A)(9)(b)); parking within 5'-0" to property line not permitted; 0.0' (scaled) provided, on premises known as 58 Knowles Street, Block: 168, Lot: 1, Zone: I

**# 5488– Area Variance** – Richard J. Pearson, PE of John Meyer Consulting, on behalf of CPD NY Energy Corporation, lessee, to demolish existing convenience store and construction of a new 3000 sq.ft. building having insufficient side yard, and total side-yard Section 43-27, Table 43-3, (required 25 ft./ 50 ft.; proposed 5 ft. / 11.2 ft.); insufficient rear yard, Section 43-27, Table 43-3 (required 25 ft.; proposed 6.8 ft.); insufficient parking, Section 43-128, Table 43-4 (required 17 spaces; proposed 8 spaces); parking within the minimum side-front yard not permitted, Section 43-133(A)1; parking within 5 feet of all property lines not permitted, Reference Yonkers Zoning Ordinance 43-44.A.9.b. (proposed 3.8 ft.), on premises known as 1282 Midland Avenue aka 838 Kimball Avenue, Block: 5245, Lot: 5, Zone: BR

**# 5489– Use & Area Variance** – James Veneruso, Esq., on behalf of 1111 CP Avenue LLC c/o Infinity Real Estate, owner, to demolish existing one story restaurant and replace with three separate one-story structures containing chain restaurant/drive through eateries whereas proposed use (Drive-through Restaurants) not permitted, Section 43-27, Table 43-1; insufficient parking, Section 43-128 and Table 43-4, Required: Unknown (outdoor seating requires parking), Proposed: 86 spaces; parking within the minimum front yard not permitted, Section 43-133(A)1; parking within 10 feet of the street right of way is not permitted. Reference Yonkers Zoning Ordinance 43-134.A.4; parking within the minimum side yard not permitted, Section 43-133(A)1; fences and walls, including retaining walls must to exceed 4 feet in height in a required front yard setback or in any other required setback abutting a street, and 6 feet in height within any other required yard setback. Reference Yonkers Zoning Ordinance 43 41.D.3.a. Proposed retaining wall 36.5 ft. high; drive-through lanes must be set back at least 15 ft. from all residential property lines. Proposed setback is 10.6 ft. Ref. YZO 43-36. G. (4); after ZBA approval, Site Plan Approval by the Planning Board is required, on premises known as 1113 Central Park Avenue, Block: 5425, Lot: 100, Zone: OL

JOSEPH CIANCIULLI  
CHAIRMAN, ZBA